

## RESOLUTION 2015-11-16-05

### Vacation of Easement in Keeneland Valley

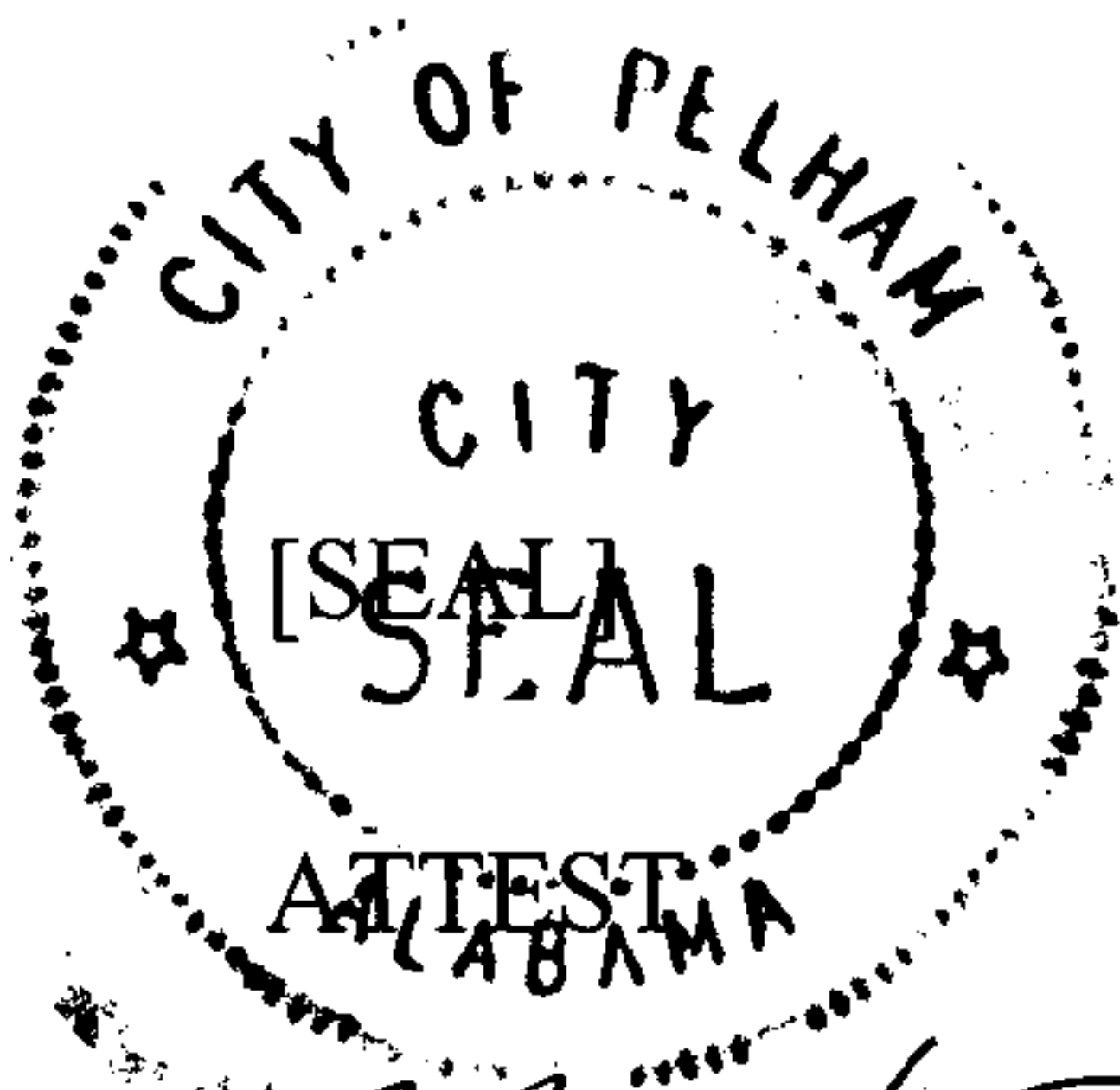
**WHEREAS**, the City of Pelham, an Alabama Municipal Corporation, has certain interests pursuant to a 20' wide easement as described and recorded in Volume 143, Page 360 in the office of the Judge of Probate, Shelby County, Alabama; and

**WHEREAS**, the City of Pelham has been requested to release its interests in a portion of said 20' wide easement and has determined that it has no active facilities located in said portion of easement and that it has no plan to install facilities therein.

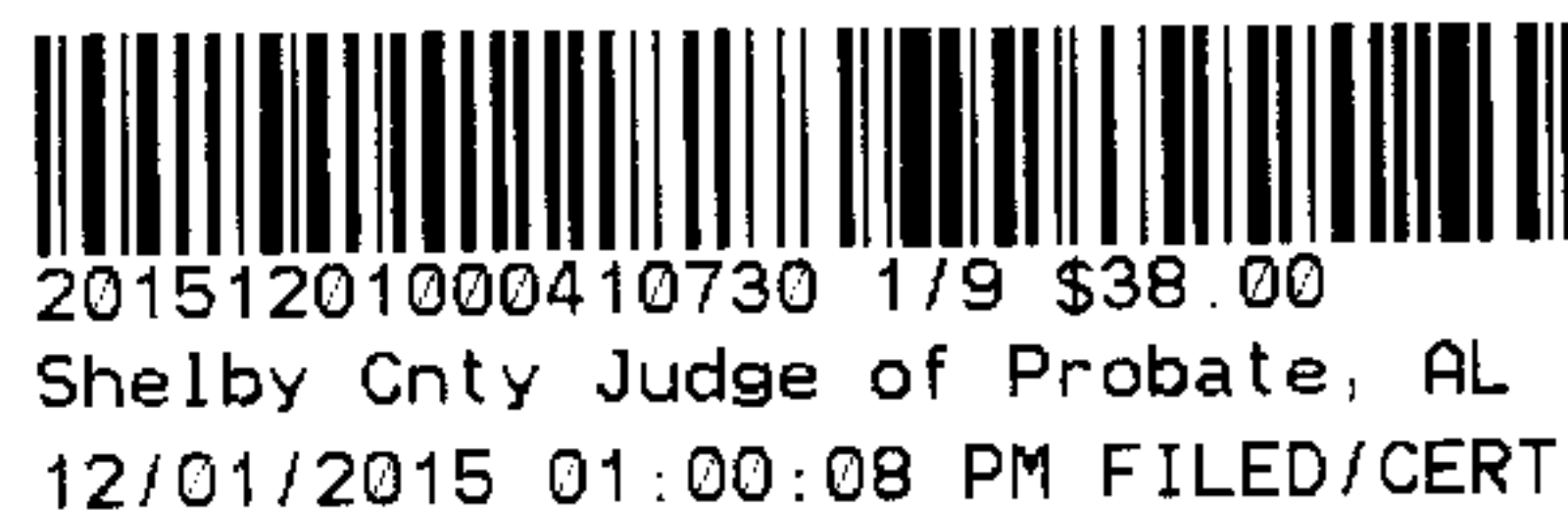
**NOW, THEREFORE BE IT RESOLVED** by the City Council of Pelham, Alabama, to the extent that it has the legal authority to do so, to hereby RELEASE FOREVER its interest in said portion of easement described in the attached VACATION OF EASEMENT document and shown on the attached map marked Exhibit A, both made a part hereof, and to authorize the mayor, on behalf of the City of Pelham, to execute the VACATION OF EASEMENT document.

**THEREUPON** Karyl Rice, a council member, moved and Beth McMillan, a council member, seconded the motion that Resolution 2015-11-16-05 be given vote, and said resolution passed by majority vote of the Council present, and the President of the Council declared the same passed.

**ADOPTED** this 16<sup>th</sup> day of November, 2015.



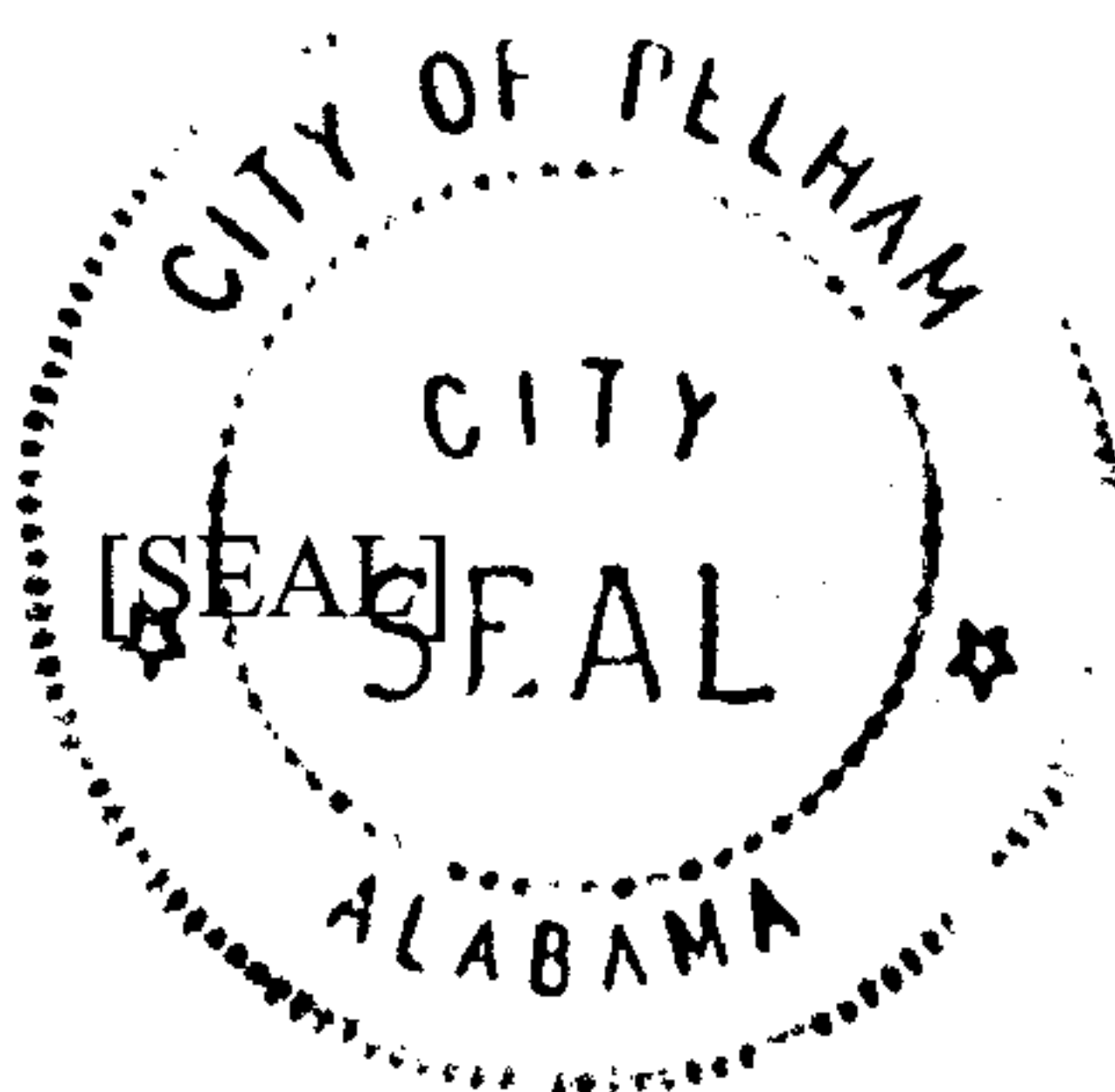
Marsha Yates  
Marsha Yates, CMC, City Clerk



Rick Hayes  
President of the Council

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 16<sup>th</sup> day of November 2015 and that such resolution is on file in the office of the City Clerk and that no action has been taken to rescind or modify said resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 16<sup>th</sup> day of November 2015.



Marsha Yates  
Marsha Yates, CMC, City Clerk



20151201000410730 2/9 \$38.00  
Shelby Cnty Judge of Probate, AL  
12/01/2015 01:00:08 PM FILED/CERT

Prepared By:  
Engineering Design Group, LLC

### VACATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT the undersigned CITY OF PELHAM, an Alabama Municipal Corporation which has certain interests pursuant to a 20' wide easement as described and recorded in Volume 143, Page 360 in the office of the Judge of Probate, Shelby county, Alabama.

WHEREAS, the City of Pelham has been requested to release its interests in a portion of said 20' wide easement and has determined that it has no active facilities located in said portion of easement and that it has no plans to install facilities therein;

NOW THEREFORE, the City of Pelham, to the extent that it has the legal authority to do so, does hereby RELEASE FOREVER its interest in said portion of easement, said portion of easement being more particularly described as follows and as shown on attached map marked Exhibit A and made a part hereof.

#### DESCRIPTION OF A PORTION OF EXISTING CITY OF PELHAM EASEMENT TO BE VACATED

STATE OF ALABAMA  
COUNTY OF SHELBY

#### Sanitary Sewer Vacation Description

A 20 foot wide strip of land situated in the N.E. ¼ of the N.W. ¼ and the S.E. ¼ of the N.W. ¼ of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama, said strip of land being a portion of that existing 20 foot wide right, privilege and easement granted the CITY OF PELHAM by that instrument recorded in Volume 143, Page 360 in the office of the Judge of Probate, Shelby County, Alabama, said strip of land being 20 feet in width and being more specifically described as follows:

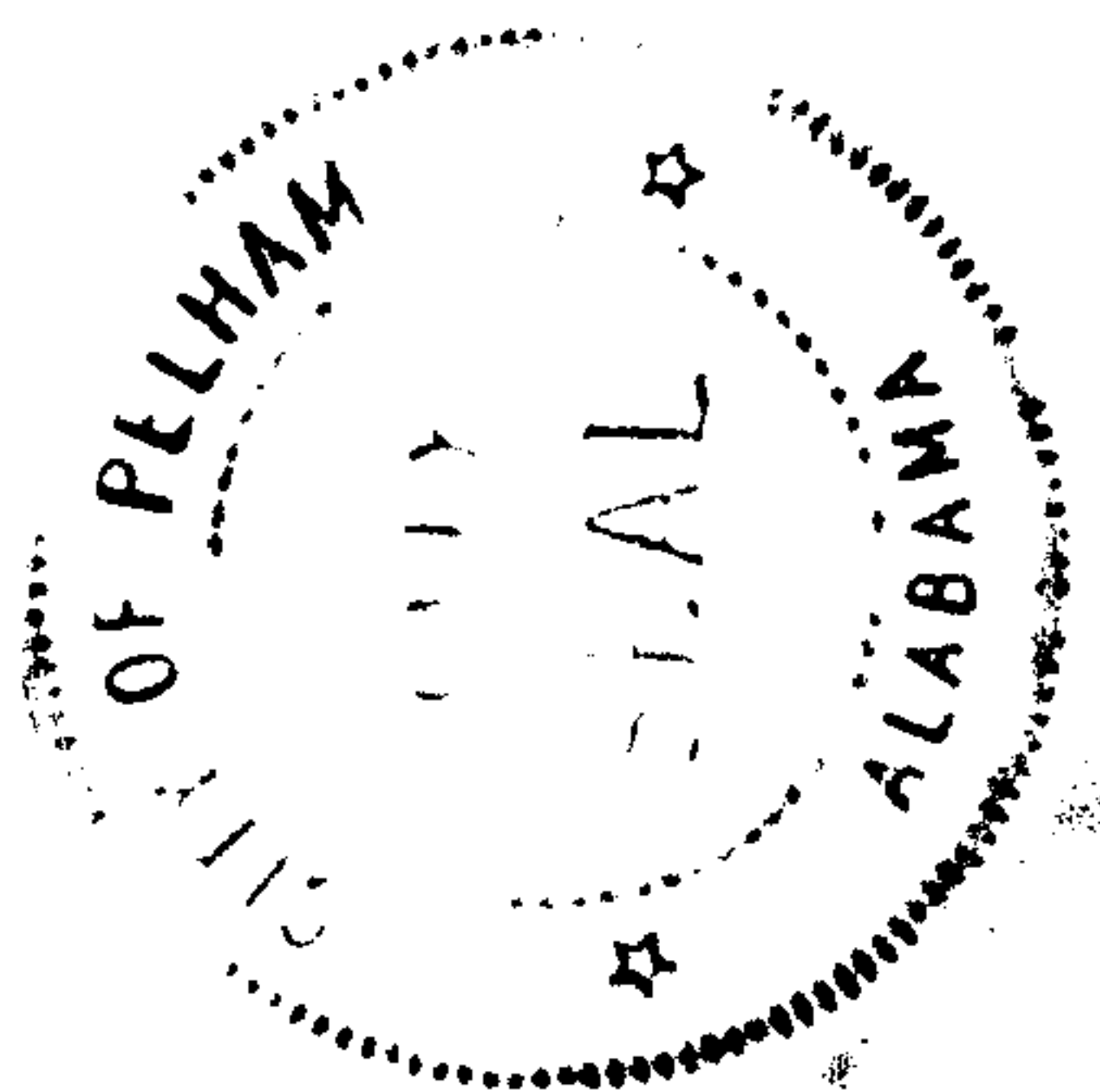
Begin at a 1/2" rebar being the northernmost corner of Lot 9 and the westernmost corner of Lot 10 of Valley Dale Estates as recorded in Map Book 4, Page 90 in the office of the Judge of Probate, Shelby County, Alabama; thence S30°55'26"W, along Lot 9 for a distance of 22.72 feet to a point; thence N33°36'44"W, leaving Lot 9, for a distance of 19.51 feet to a point lying on the eastern boundary of a proposed 20 foot wide sanitary sewer easement, said easement lying 9 feet easterly of the western boundary of proposed Lot 30 of the Keeneland Valley Subdivision; thence N31°00'13"E, leaving said proposed easement, for a distance of 147.54 feet to a point; thence N30°53'18"E for a distance of 309.27 feet to a point; thence N30°44'21"E for a distance of 119.11 feet to a point lying on the western edge of a proposed 20 foot wide sanitary sewer easement, said easement lying 8.50 feet westerly of the eastern boundary of proposed Lot 20 of the Keeneland Valley Subdivision; thence S24°53'03"E, along said easement, for a distance of 24.23 feet to a point, thence S30°44'21"W, leaving said easement, for a distance of 105.43 feet to a point; thence S30°53'18"W for a distance of 309.27 feet to a point; thence S31°00'13"W for a distance of 131.79 feet to a point lying on the northern boundary line of Lot 10 of said Valley Dale Estates; thence N89°08'15"W, along the northern boundary of Lot 10 for a distance of 2.78 feet to the POINT OF BEGINNING.

IN WITNESS WHEREOF, the City of Pelham has hereunto set its hand and seal this 17th day of November, 2015

Sworn to and subscribed  
Before me this 17th  
Day of Nov, 2015

Notary Public

My Commission Expires: 8-15-2018



CITY OF PELHAM

By: [Signature]

ITS: Mayor



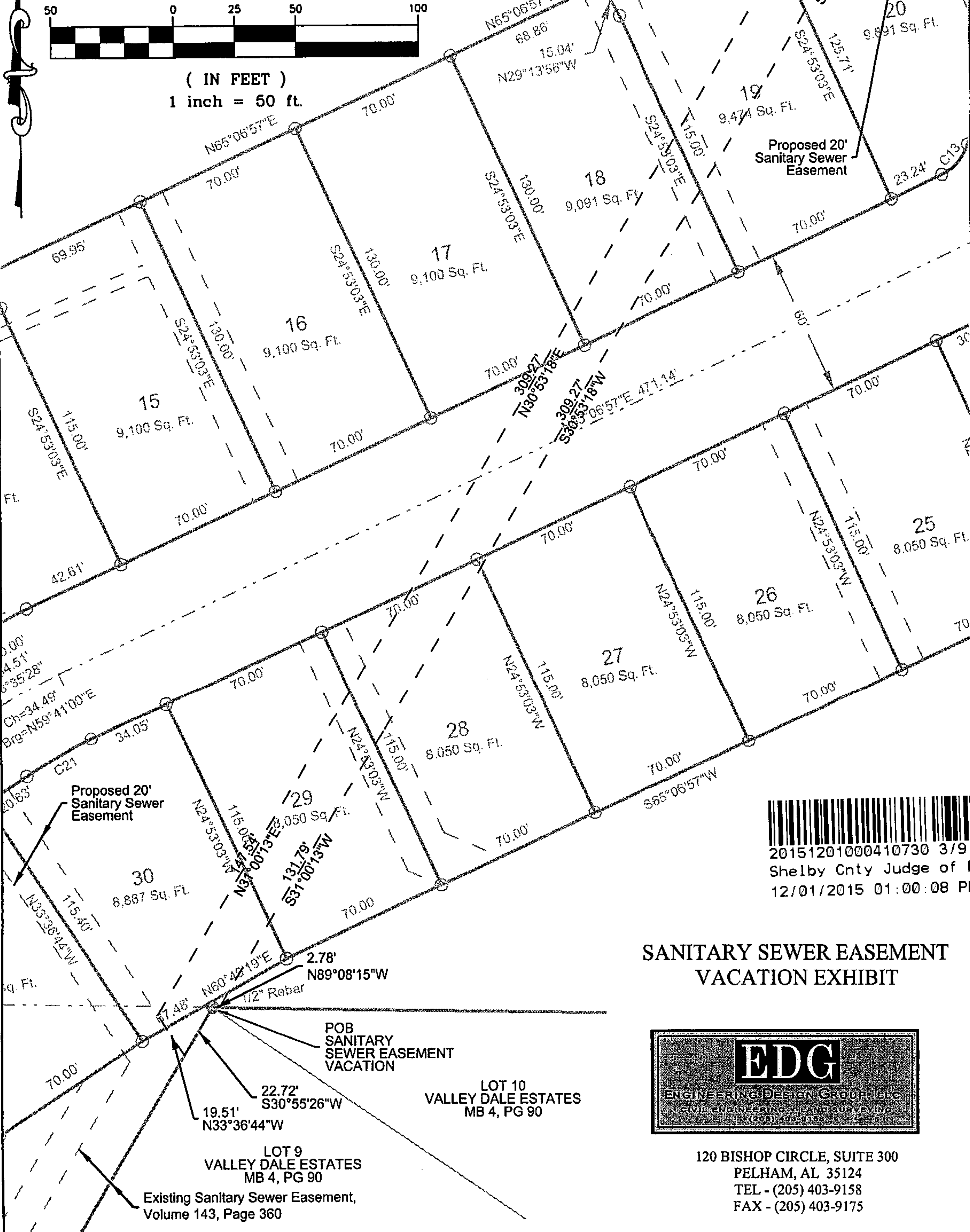
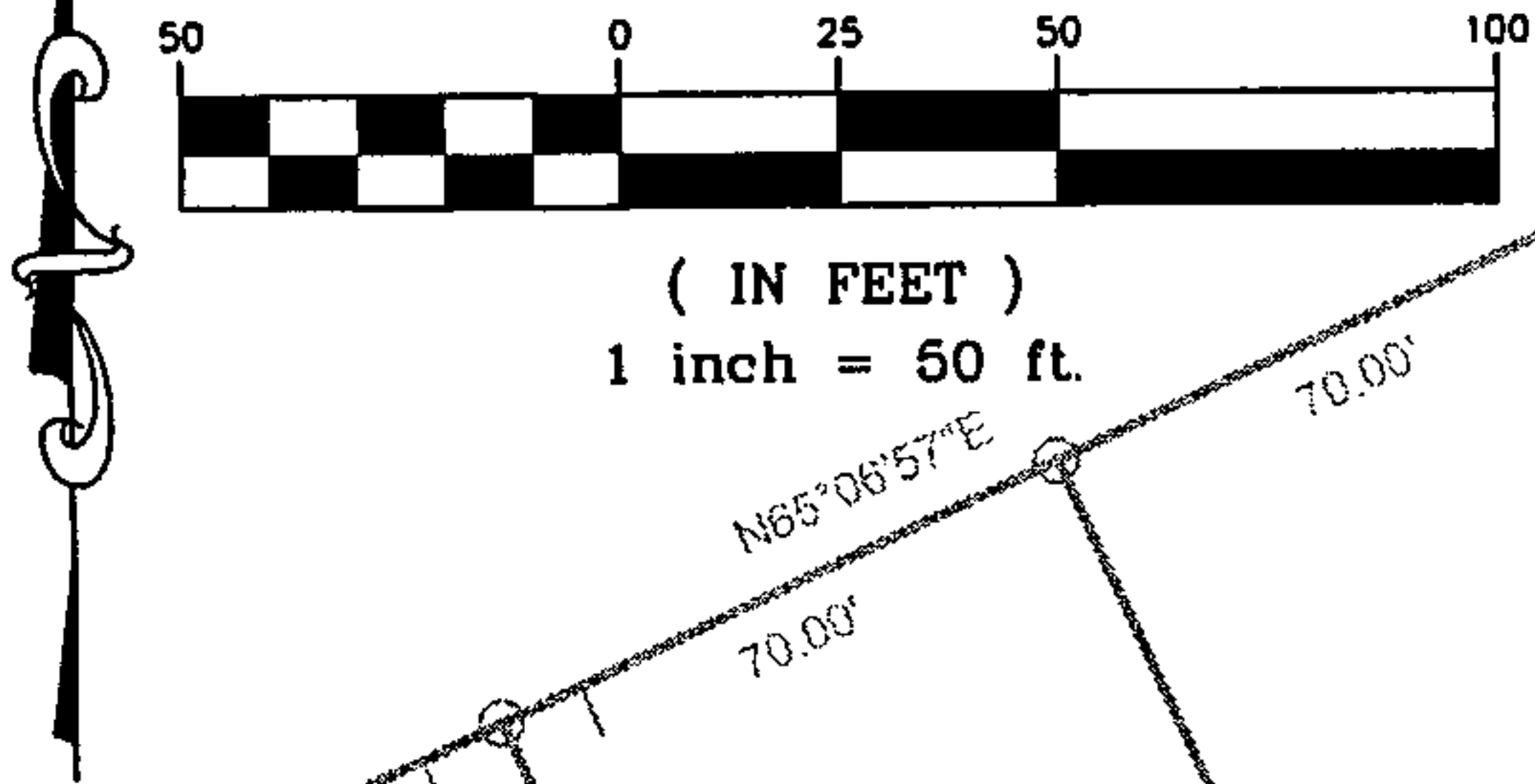
# Exhibit A

## Sanitary Sewer Vacation Description

A 20 foot wide strip of land situated in the N.E. 1/4 of the N.W. 1/4 and the S.E. 1/4 of the N.W. 1/4 of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama, said strip of land being a portion of that existing 20 foot wide right, privilege and easement granted the CITY OF PELHAM by that instrument recorded in Volume 143, Page 382 in the office of the Judge of Probate, Shelby County, Alabama, said strip of land being 20 feet in width and being more specifically described as follows:

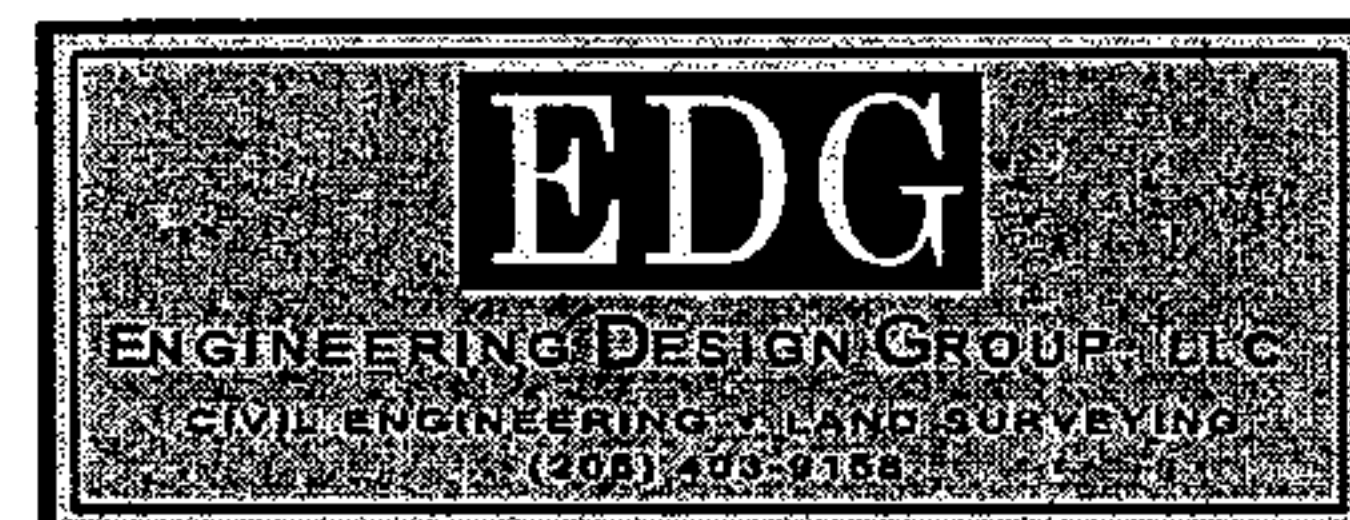
Begin at a 1/2" rebar being the northernmost corner of Lot 9 and the westernmost corner of Lot 10 of Valley Dale Estates as recorded in Map Book 4, Page 90 in the office of the Judge of Probate, Shelby County, Alabama; thence S30°55'26"W, along Lot 9 for a distance of 22.72 feet to a point; thence N33°36'44"W, leaving Lot 9, for a distance of 19.51 feet to a point lying on the eastern boundary of a proposed 20 foot wide sanitary sewer easement, said easement lying 9 feet easterly of the western boundary of proposed Lot 30 of the Keeneland Valley Subdivision; thence N31°00'13"E, leaving said proposed easement, for a distance of 147.54 feet to a point; thence N30°53'18"E for a distance of 309.27 feet to a point; thence N30°44'21"E for a distance of 119.11 feet to a point lying on the western edge of a proposed 20 foot wide sanitary sewer easement, said easement lying 8.50 feet westerly of the eastern boundary of proposed Lot 20 of the Keeneland Valley Subdivision; thence S24°53'03"E, along said easement, for a distance of 24.23 feet to a point, thence S30°44'21"W, leaving said easement, for a distance of 105.43 feet to a point; thence S30°53'18"W for a distance of 309.27 feet to a point; thence S31°00'13"W for a distance of 131.79 feet to a point lying on the northern boundary line of Lot 10 of said Valley Dale Estates; thence N89°08'15"W, along the northern boundary of Lot 10 for a distance of 2.78 feet to the POINT OF BEGINNING.

## GRAPHIC SCALE



20151201000410730 3/9 \$38.00  
Shelby Cnty Judge of Probate, AL  
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## SANITARY SEWER EASEMENT VACATION EXHIBIT

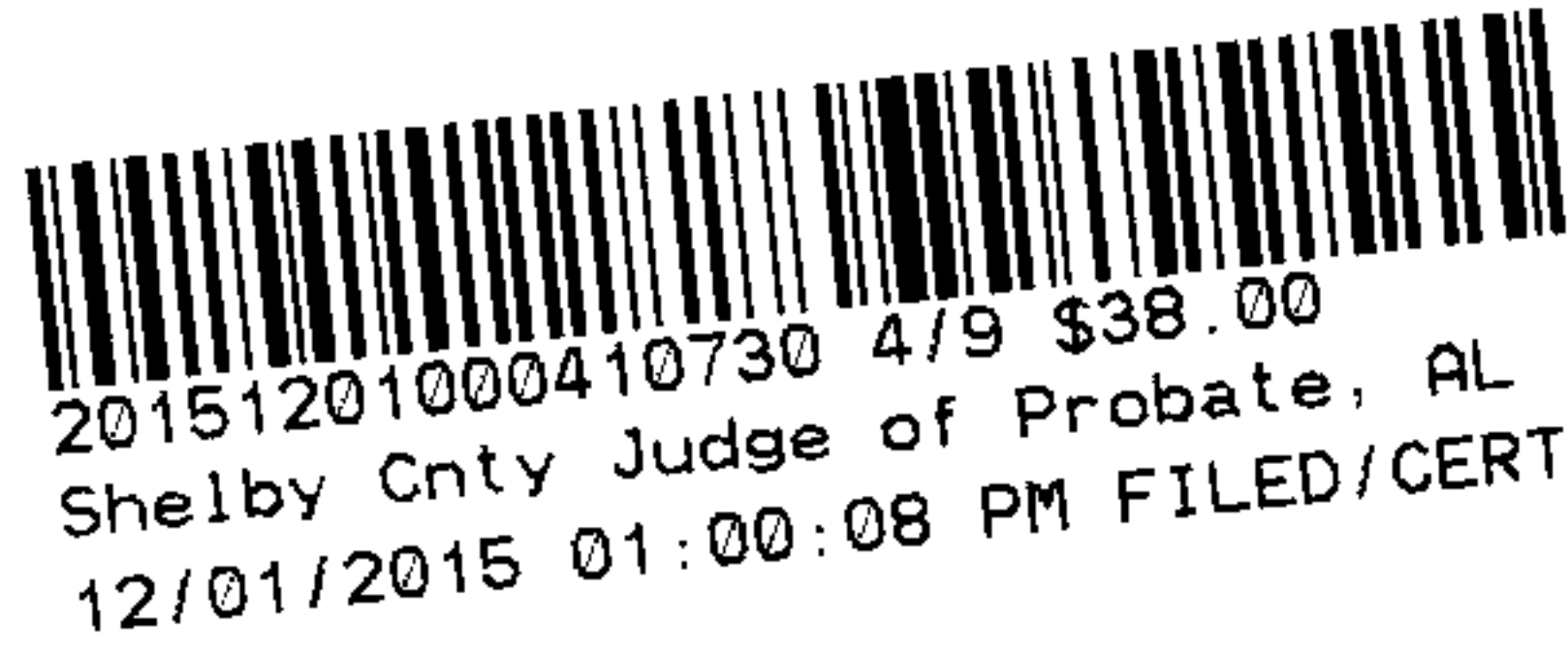


120 BISHOP CIRCLE, SUITE 300  
PELHAM, AL 35124  
TEL - (205) 403-9158  
FAX - (205) 403-9175



This instrument was prepared by:

William R. Justice  
P.O. Box 587, Columbiana, Alabama 35051



## **STATUTORY WARRANTY DEED - GRANT OF EASEMENTS**

**STATE OF ALABAMA**

**SHELBY COUNTY**            **KNOW ALL MEN BY THESE PRESENTS,**

That in consideration of the exchange of easements pursuant to an agreement between the **CITY OF PELHAM, ALABAMA**, a municipal corporation ("GRANTOR") and **SUMMER CLASSICS PROPERTIES, LLC**, an Alabama limited liability company ("GRANTEE"), GRANTOR does hereby grant, bargain, sell and convey to GRANTEE the following described non-exclusive easements situated in Shelby County, Alabama to-wit:

Permanent, non-exclusive easements to construct, install, and maintain planned improvements, landscaping, and any appropriate irrigation on the property described in the attached Exhibit A-1 and as shown on attached Exhibit Map A-2, and on the property described in the attached Exhibit B-1 and as shown on the attached Exhibit Map A-2.

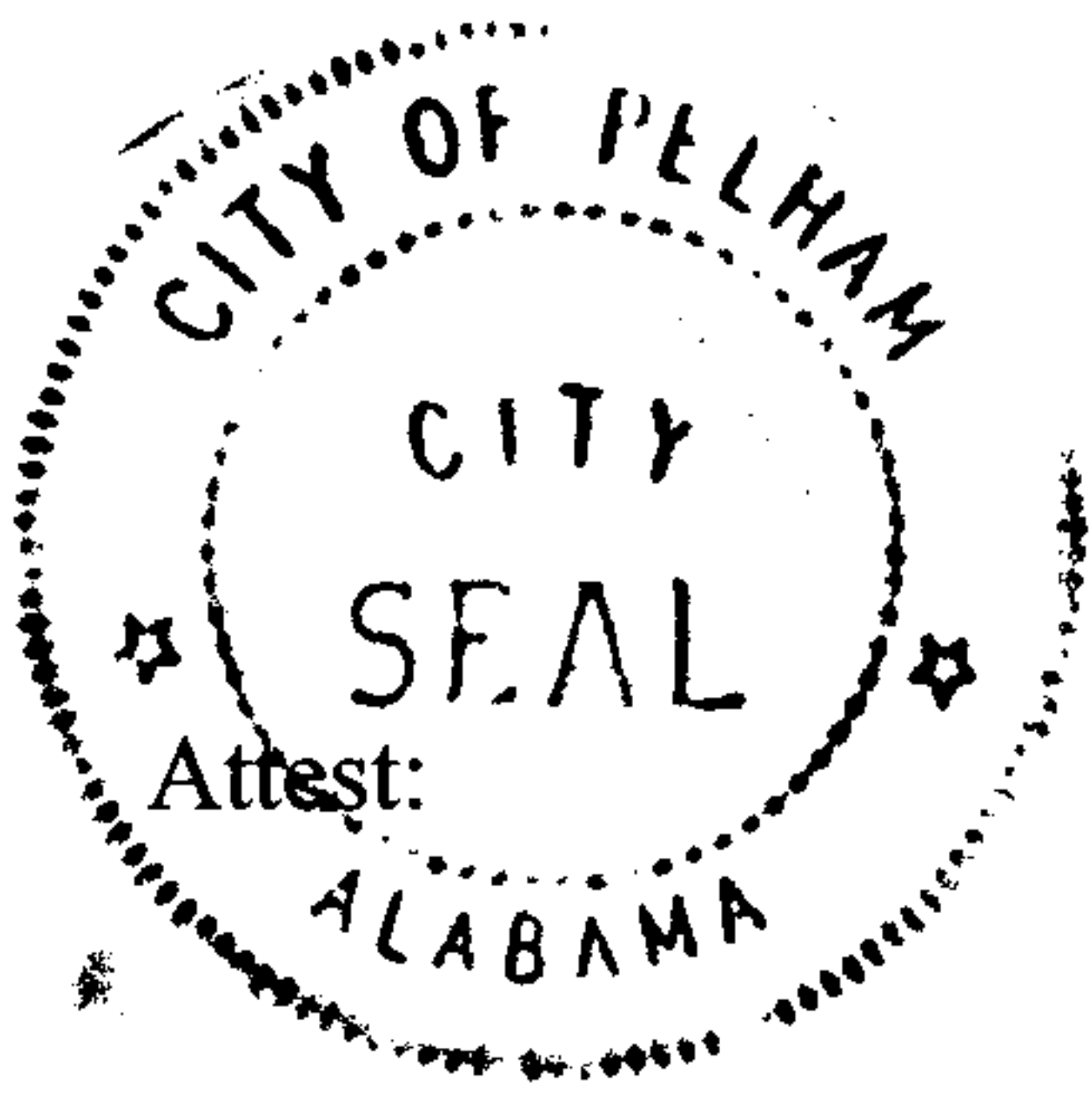
Permanent, non-exclusive access easement on, over and across the property described in the attached Exhibit A-1 and as shown on attached Exhibit Map A-2, and on the property described in the attached Exhibit Map A-2, and on the property described in the attached Exhibit B-1 and as shown on the attached Exhibit Map B-2.

TO HAVE AND TO HOLD to the said GRANTEE, its successors and assigns forever.

The easements herein granted are appurtenant to the GRANTEE's adjacent lands for the benefit of said lands and current and future owners and occupants thereof, and shall run with the land forever.

This Statutory Warranty Deed is executed and made without any representation or warranty of any kind on the part of the GRANTOR, express or implied, except for those implied covenants of warranty pursuant to Section 35-4-271 of the Code of Alabama (1975).

IN WITNESS WHEREOF, GRANTOR by its Mayor, Gary Waters, who is authorized to execute this conveyance, has hereunto set its hand and seal, this 17th day of November 2015.



Marsha Yates  
City Clerk

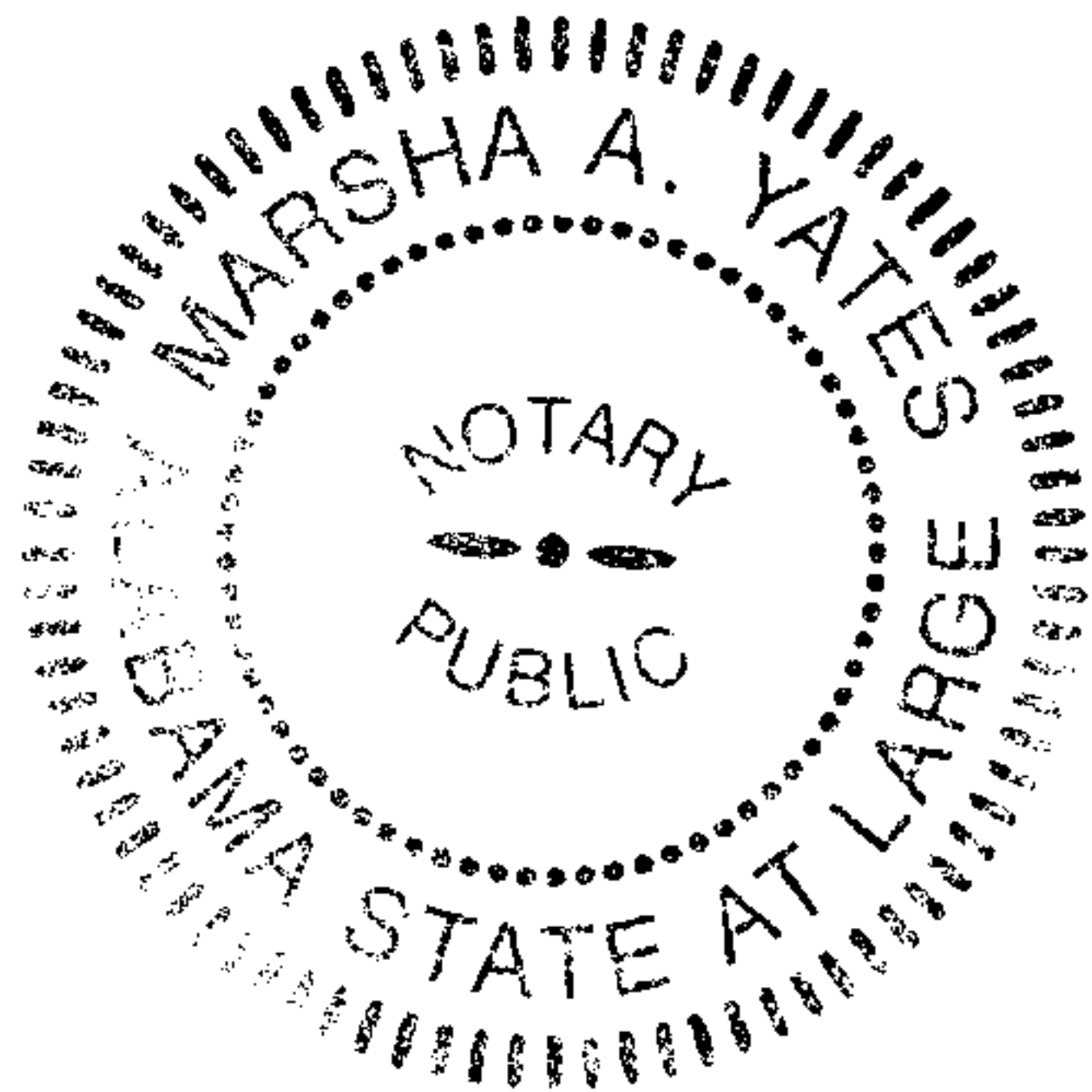
CITY OF PELHAM, ALABAMA

by Gary W. Waters  
Gary Waters, Mayor

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Gary Waters, whose name as Mayor of the City of Pelham, Alabama, a municipal corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said municipality.

Given under my hand and official seal this 17<sup>th</sup> day of November, 2015.



Marsha A. Yates  
Notary Public

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Shelby Cnty Judge of Probate, AL  
12/01/2015 01:00:08 PM FILED/CERT

**EXHIBIT A-1**  
**LEGAL DESCRIPTION FOR EASEMENT**

A parcel of land situated in the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast Corner of Section 14, Township 20 South Range 3 West, Shelby County, Alabama; thence run North 00 degrees 00 minutes 33 seconds East along the East line of said section for a distance of 126.68 feet to a point, said point lying on the Northernmost right of way of Cummins Street (30 foot Right of way); thence run South 88 degrees 27 minutes 48 seconds East along said north Right of way of Cummins Street for a distance of 268.30 feet to a set 5/8 inch capped rebar stamped GSA; thence run North 89 degrees 34 minutes 39 seconds East along said right of way for a distance of 163.23 feet to a found capped rebar; thence leaving said right of way, run North 05 degrees 07 minutes 54 seconds West for a distance of 874.54 feet to the POINT OF BEGINNING; thence run along last described course for a distance of 6.22 feet to a set pk nail; thence run North 84 degrees 53 minutes 12 seconds East for a distance of 216.11 feet to a set 5/8 inch capped rebar stamped GSA, said point being on the Westernmost right of way line of U.S. Highway 31 (200' right of way); thence run South 10 degrees 41 minutes 12 seconds East along said right of way for a distance of 4.65 feet; thence leaving said right of way, run South 84 degrees 27 minutes 58 seconds West for a distance of 216.57 feet to the POINT OF BEGINNING. Said parcel contains 1,174 square feet or 0.03 acres more or less.

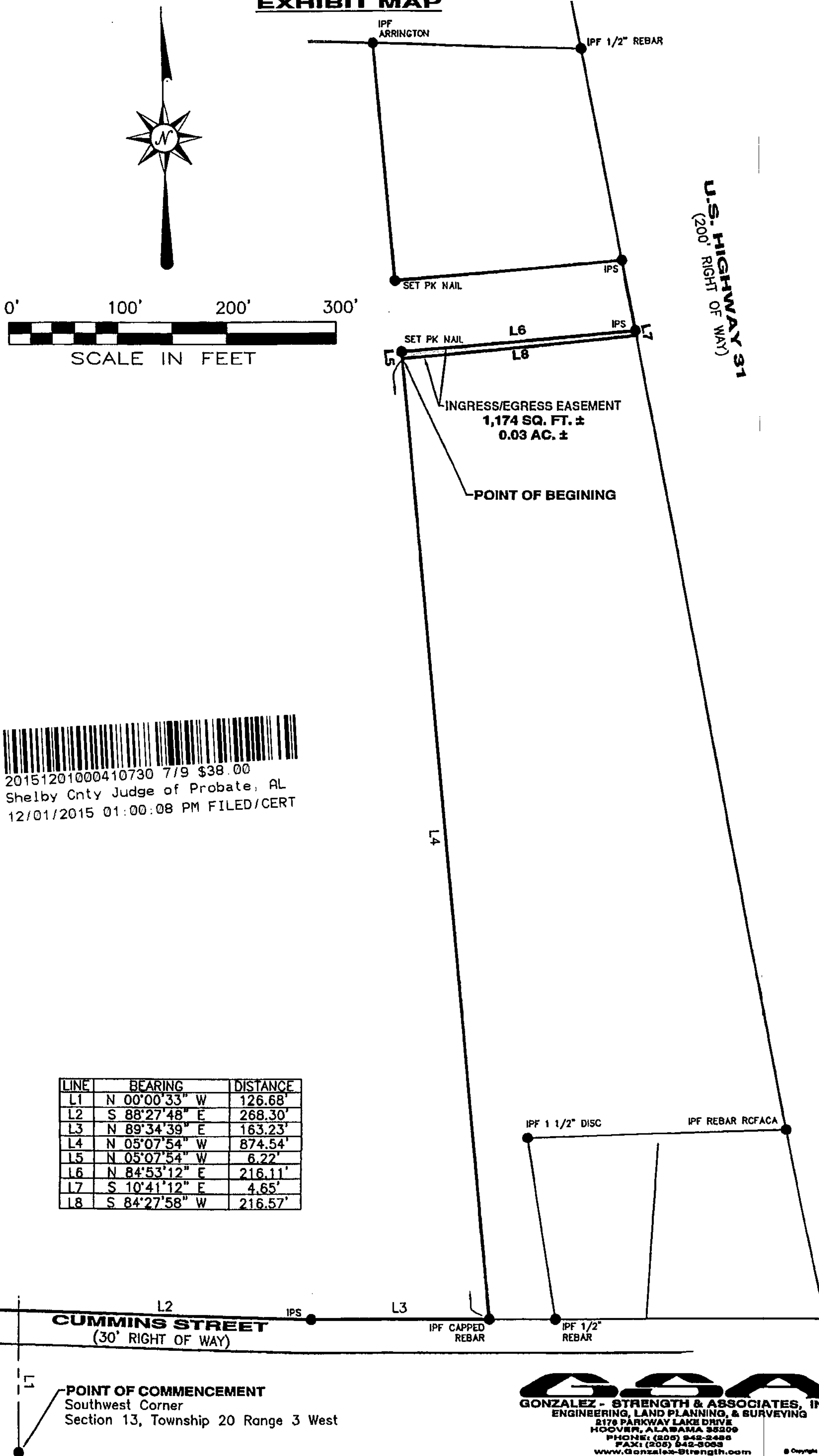


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# EXHIBIT A-2


## EXHIBIT MAP



**EXHIBIT B-1**  
**LEGAL DESCRIPTION FOR EASEMENT**

A parcel of land situated in the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

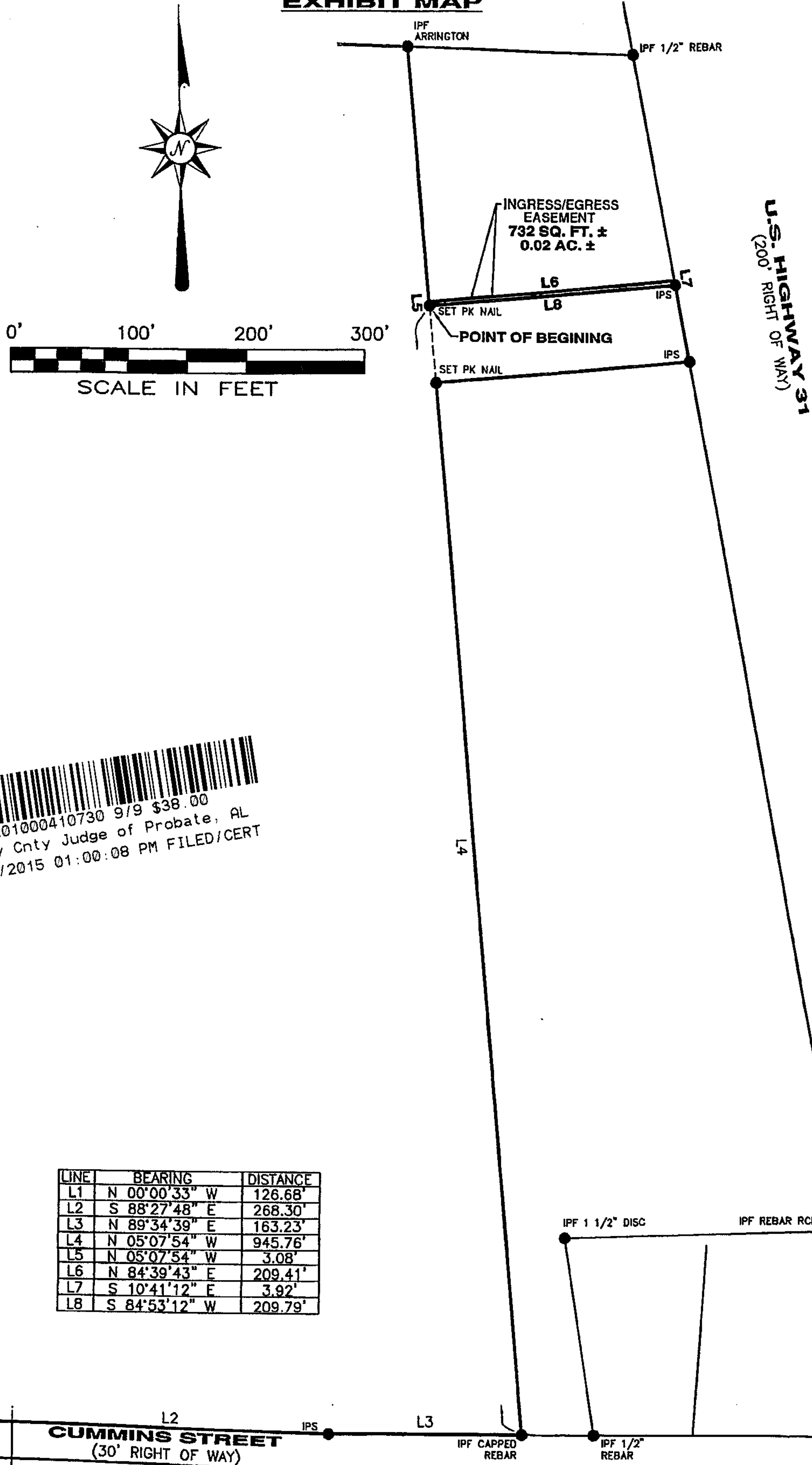
Commence at the Southeast Corner of Section 14, Township 20 South Range 3 West, Shelby County, Alabama; thence run North 00 degrees 00 minutes 33 seconds East along the East line of said section for a distance of 126.68 feet to a point, said point lying on the Northernmost right of way of Cummins Street (30 foot Right of way); thence run South 88 degrees 27 minutes 48 seconds East along said north Right of way of Cummins Street for a distance of 268.30 feet to a set 5/8 inch capped rebar stamped GSA; thence run North 89 degrees 34 minutes 39 seconds East along said right of way for a distance of 163.23 feet to a found capped rebar; thence leaving said right of way, run North 05 degrees 07 minutes 54 seconds West for a distance of 945.76 feet to a set pk nail being the POINT OF BEGINNING; thence run along last described course for a distance of 3.08 feet; thence run North 84 degrees 39 minutes 43 seconds East for a distance of 209.41 feet to a point on the Westernmost right of way line of U.S. Highway 31 (200' right of way); thence run South 10 degrees 41 minutes 12 seconds East along said right of way for a distance of 3.92 feet to a set 5/8 inch capped rebar stamped GSA; thence leaving said right of way, run South 84 degrees 53 minutes 12 seconds West for a distance of 209.79 feet to the POINT OF BEGINNING. Said parcel contains 732 square feet or 0.02 acres more or less.

  
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# EXHIBIT B-2

## EXHIBIT MAP



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LINE	BEARING	DISTANCE
L1	N 00°00'33" W	126.68'
L2	S 88°27'48" E	268.30'
L3	N 89°34'39" E	163.23'
L4	N 05°07'54" W	945.76'
L5	N 05°07'54" W	3.08'
L6	N 84°39'43" E	209.41'
L7	S 10°41'12" E	3.92'
L8	S 84°53'12" W	209.79'